

**REFERENCE GUIDE FOR NOTICING APPLICATIONS AND MOTIONS  
BANKRUPTCY MOTIONS**

Appendix VIII

Motion or Application	Under Default Procedure			Under Conventional Procedure			Code or Rule Cited
	Days to Response Deadline	Days between response deadline and hearing	Total Days to Hearing	Days to Response Deadline	Days between response deadline and hearing	Total Days to Hearing	
Abandon, Motion by Trustee	14	7	21	11	3	14	11 U.S.C. § 554; Fed. R. Bankr. P. 6007(a)
Abandon (Compel Trustee) (motion)	14	7	21	11	3	14	11 U.S.C. § 554; Fed. R. Bankr. P. 6007(b)
Abstention (motion)	Non-Routine: opposing parties have 14 days to respond. Any reply memoranda must be filed within 7 days of the response. Court will set hearing if necessary.						Fed. R. Bankr. P. 5011, 9014
Accelerate Chapter 11 Confirmation (motion)	Discretionary, no notice or hearing required.						Fed. R. Bankr. P. 9006; Vt. LBR 9013-1(h)
Accounting (motion)				11	3	14	Vt. LBR 9013-2
Adequate Protection (motion)				11	3	14	11 U.S.C. § 361
Adjournment (motion)	For good cause only. May be obtained without notice or hearing if all parties consent.						Vt. LBR 5071-1, 9011-4(f), (g), 9013-1(f)
Administrative Expenses (application to pay)	14	7	21	11	3	14	11 U.S.C. § 503(b); Vt. LBR 9013-4(b)(2)
Allow Claims (motion)				11	3	14	Fed. R. Bankr. P. 3007; Vt. LBR 9013-2
Amend (motion)				11	3	14	Vt. LBR 9013-2
Appear Pro Hac Vice (motion)	No notice or hearing required.						Vt LBR 2090-1; USDC-VT LR 83.2(b)
Application (Generic) - must specify relief sought in caption and docket text				11	3	14	Vt. LBR 9013-2
Appoint Creditors' Committee (motion)				11	3	14	11 U.S.C. § 1102(a); Fed. R. Bankr. P. 2007; Vt. LBR 9013-2
Appoint Examiner (motion)	Non-Routine: opposing parties have 14 days to respond. Any reply memoranda must be filed within 7 days of the response. Court will set hearing if necessary.						11 U.S.C. §§ 1104, 1106(b); Fed. R. Bankr. P. 2007.1, 5002, 9014; Vt. LBR 9013-2
Appoint Trustee (motion)	Non-Routine: opposing parties have 14 days to respond. Any reply memoranda must be filed within 7 days of the response. Court will set hearing if necessary.						Fed. R. Bankr. P. 2007.1, 5002, 9014; Vt. LBR 9013-2
Approve Compromise and Settlement (motion)	21	7	28	18	3	21	Fed. R. Bankr. P. 2002, 9019
Assume/Reject (motion)	14	7	21	11	3	14	11 U.S.C. § 365
Authority to Obtain Credit under § 364 (motion)	14	7	21	11	3	14	11 U.S.C. § 364(b), (c), (d); Fed. R. Bankr. P 4001; Vt. LBR 4001-5

**REFERENCE GUIDE FOR NOTICING APPLICATIONS AND MOTIONS  
BANKRUPTCY MOTIONS**

Appendix VIII

Motion or Application	Under Default Procedure			Under Conventional Procedure			Code or Rule Cited
	Days to Response Deadline	Days between response deadline and hearing	Total Days to Hearing	Days to Response Deadline	Days between response deadline and hearing	Total Days to Hearing	
Avoid Lien (motion)	14	7	21	11	3	14	11 U.S.C. § 522(f); Fed. R. Bankr. P. 4003; Vt. LBR 4003-2
Borrow (motion)	14	7	21	11	3	14	11 U.S.C. § 364(b), (c), (d)
Certification to Court of Appeals (motion)	Notice and hearing issues will be determined by Court of Appeals.						28 U.S.C. § 158(d)(2); Fed. R. Bankr. P. 8001(f)
Change Venue (motion)	14	7	21	11	3	14	28 U.S.C. § 1412; Fed. R. Bankr. P. 1014; Vt LBR 9013-4(b)(6)
Compel (motion)	14	7	21	11	3	14	11 U.S.C. § 542; Fed. R. Bankr. P. 7001
Compel Compliance with Mediation Order (motion)	Non-Routine: opposing parties have 14 days to respond. Any reply memoranda must be filed within 7 days of the response. Court will set hearing if necessary.						Vt. LBR 4001-7(c)
Compensation (application) in excess of \$1000	21	7	28	18	3	21	11 U.S.C. § 330, 331; Fed. R. Bankr. P. 2002(a)(6)
Compensation (application) \$1000 or less	On 14 days notice to UST.						11 U.S.C. § 330, 331; Vt. LBR 2016-1(b)
Conditional Use of Cash Collateral (motion)	14	7	21	11	3	14	11 U.S.C. § 363(c)(2); Vt. LBR 4001-4, 9013-2
Consolidate (Substantively) (motion)				11	3	14	Vt. LBR 1015-1, 9013-2
Contempt (motion)	Non-Routine: opposing parties have 14 days to respond. Any reply memoranda must be filed within 7 days of the response. Court will set hearing if necessary.						Fed. R. Bankr. P. 9020
Continue Hearing (motion)	For good cause only; may be obtained without notice or hearing, if all parties consent.						Vt. LBR 5071-1, 9011-4(f), (g), 9013-1(f)
Continue Utility Service (motion)	See: Vt. LBR 9075-1						11 USC § 366
Convert Case 7 to 11 (fee)(motion)	See: "Reference Guide for Conversions and Dismissals"						11 U.S.C. § 706
Convert Case to 12 (motion)	See: "Reference Guide for Conversions and Dismissals"						11 U.S.C. § 706
Convert Case to 13 (motion)	See: "Reference Guide for Conversions and Dismissals"						11 U.S.C. § 706; Vt. LBR 1017-2
Convert Case to 7 (fee) (motion)	See: "Reference Guide for Conversions and Dismissals"						Vt. LBR 1017-2
Damages for Creditor Misconduct (motion)	Non-Routine: opposing parties have 14 days to respond. Any reply memoranda must be filed within 7 days of the response. Court will set hearing if necessary.						11 USC § 362
Defer Fee (motion)	Non-Routine: opposing parties have 14 days to respond. Any reply memoranda must be filed within 7 days of the response. Court will set hearing if necessary.						Bankruptcy Court Miscellaneous Fee Schedule
Deposit Funds into Court Registry (application)	On application, no notice or hearing required.						28 USC § 2041
Deposit Unclaimed Funds (application)	On application, no notice or hearing required.						28 USC § 2041

**REFERENCE GUIDE FOR NOTICING APPLICATIONS AND MOTIONS  
BANKRUPTCY MOTIONS**

Appendix VIII

Motion or Application	Under Default Procedure			Under Conventional Procedure			Code or Rule Cited
	Days to Response Deadline	Days between response deadline and hearing	Total Days to Hearing	Days to Response Deadline	Days between response deadline and hearing	Total Days to Hearing	
Determine Final Cure and Payment re Rule 3002.1 (motion)				11	3	14	Fed. R. Bankr. P. 3002.1
Determine Mortgage Fees and Expenses (motion)	14	7	21	11	3	14	Fed. R. Bankr. P. 3002.1
Determine Tax Liability (motion)				11	3	14	11 U.S.C. § 505
Determine Value of Collateral (motion)				11	3	14	11 U.S.C. § 502; Fed. R. Bankr. P. 3012
Disallow or Modify a Claim (motion)	30	7	37	23	7	30	11 U.S.C. § 502(b); Fed. R. Bankr. P. 3007
Dismiss Case (motion)	See: "Reference Guide for Conversions and Dismissals."						Fed. R. Bankr. P. 1017, 2002(a)(4)
Dismiss Involuntary Petition (motion)	Non-Routine: opposing parties have 14 days to respond. Any reply memoranda must be filed within 7 days of the response. Court will set hearing if necessary.						Fed. R. Bankr. P. 1013
Disqualification of Judge (motion)	Court will set hearing, if necessary.						28 U.S.C. § 455; Fed. R. Bankr. P. 5004
Employ (Application)	On application; no hearing required; on 14 days' notice to Office of U.S. Trustee.						Vt. LBR 2014-1
Entry of Discharge (motion)	14	7	21	11	3	14	Vt. LBR 4004-2
Examination (motion)	14	7	21	11	3	14	11 U.S.C. § 341, 353, 521; Fed. R. Bankr. P. 2004
Expedite Hearing (application)	See: Vt. LBR 9075-1						Vt. LBR 9013-1(h), 9075-1
Extend Exclusivity Period (motion)				11	3	14	11 U.S.C. § 1121; Fed. R. Bankr. P. 3016; Vt. LBR 9013-2
Extend Time (motion)	14	7	21	11	3	14	Vt. LBR 9013-2
Extend Time to File Schedules (motion)	No notice or hearing required; may require consents.						11 U.S.C. § 521; Fed. R. Bankr. P. 1007, 5005, 5007; Vt. LBR 1007-1
File Claim after Bar Date (motion)				11	3	14	Fed. R. Bankr. P. 3002
File under Seal (motion)	Non-Routine: opposing parties have 14 days to respond. Any reply memoranda must be filed within 7 days of the response. Court will set hearing if necessary. Documents to be filed under seal should not be filed electronically.						11 U.S.C. § 107; Fed. R. Bankr. P. 1007(j); Vt. LBR 5003-4, 9013-1(g)
Final Decree (motion)	14	7	21	11	3	14	11 U.S.C. § 350; Fed. R. Bankr. P. 3022
Forwarding mail of a corporate debtor to trustee (motion)	14	7	21	11	3	14	Vt. LBR 9013-4(b)(25)

**REFERENCE GUIDE FOR NOTICING APPLICATIONS AND MOTIONS  
BANKRUPTCY MOTIONS**

Appendix VIII

Motion or Application	Under Default Procedure			Under Conventional Procedure			Code or Rule Cited
	Days to Response Deadline	Days between response deadline and hearing	Total Days to Hearing	Days to Response Deadline	Days between response deadline and hearing	Total Days to Hearing	
Hardship Discharge (motion)	14	7	21	11	3	14	11 U.S.C. §§ 1228(b), 1328(b); Vt. LBR 9013-2, 9013-4(b)(25)
Impose/Extend Automatic Stay (motion)	Movant is to contact Courtroom Deputy to schedule evidentiary hearing with 7 days' notice. Hearing must be within 30 days of filing of petition.						11 U.S.C. § 362(c)(3), (4); Vt. LBR 4001-3
Joint Administration (motion)	Non-Routine: opposing parties have 14 days to respond. Any reply memoranda must be filed within 7 days of the response. Court will set hearing if necessary.						Fed. R. Bankr. P. 1015; Vt. LBR 1015-1, 9013-2
Lease of Property (motion)	14	7	21	11	3	14	11 U.S.C. § 363(b)(1); Fed. R. Bankr. P. 6006; Vt. LBR 9013-2
Leave to Appeal (motion)	Non-Routine: opposing parties have 14 days to respond. Any reply memoranda must be filed within 7 days of the response. Court will forward to District Court.						Fed. R. Bankr. P 1015, 8003; Vt. LBR 9013-2
Limit Notice (motion)	Non-Routine: opposing parties have 14 days to respond. Any reply memoranda must be filed within 7 days of the response. Court will set hearing if necessary.						11 U.S.C. § 342; Fed. R. Bankr. P. 9007
Limit Admissions (motion)	Non-Routine: opposing parties have 14 days to respond. Any reply memoranda must be filed within 7 days of the response. Court will set hearing if necessary.						Fed. R. Civ. P. 26
Miscellaneous Relief (motion) - must specify the particular relief sought both in docket text and caption of motion				11	3	14	Vt. LBR 9013-2
Modify Plan (motion) (NOTE: Default Procedure for plan modifications not available in Chapter 11)	14	7	21	17	3	20	11 U.S.C. §§ 1229, 1323, 1329; Fed. R. Bankr. P. 2002, 3015, 3019; Vt. LBR 3015-4, 9013-2
Mortgage Mediation (motion)	14	7	21	11	3	14	Vt. LBR 4001-7
Mortgage Modification (motion)	21	7	28	18	3	21	Vt. LBR 6004-1(f)
Objection to Discharge (motion)				11	3	14	11 USC § 727(c); Fed. R. Bankr. P. 4004, 7001
Objection to Claim (motion)	30	7	37	23	7	30	11 U.S.C. § 502(b); Fed. R. Bankr. P. 5003
Objection to Debtor's Claim of Exemptions (motion)	14	7	21	11	3	14	Fed. R. Bankr. P. 4003(b); Vt. LBR 9013-4(b)(23)
Order Declaring Mortgage Mediation Closed (motion)	14	7	21	11	3	14	Vt. LBR 4001-7

**REFERENCE GUIDE FOR NOTICING APPLICATIONS AND MOTIONS  
BANKRUPTCY MOTIONS**

Appendix VIII

Motion or Application	Under Default Procedure			Under Conventional Procedure			Code or Rule Cited
	Days to Response Deadline	Days between response deadline and hearing	Total Days to Hearing	Days to Response Deadline	Days between response deadline and hearing	Total Days to Hearing	
Pay Filing Fee in Installments (application)	Without notice or hearing.						Fed. R. Bankr. P. 1006(b); Vt. LBR 1006-1(b)
Pay Post-Petition Mortgage Fees, Expenses and Charges (application)				11	3	14	Fed. R. Bankr. P. 3002.1; Vt. LBR 3015-2
Preliminary Injunction (motion)	Refer to Vt. LBR 9075-1 if matter is an emergency, otherwise opposing parties have 14 days to respond. Court will set hearing if necessary.						Fed. R. Bankr. P. 7065
Prohibit Use Cash Collateral (motion)				11	3	4	11 USC 363(e); Fed. R. Bankr. P. 4001; Vt. LBR 4001-4
Quash (motion)	Refer to Vt. LBR 9075-1 if matter is an emergency, otherwise total of 14 days for notice of hearing. Responses are due no later than 3 days before the hearing.						Fed. R. Bankr. P. 7026; Vt. LBR 7026-1
Reaffirmation (motion)	Non-Routine: opposing parties have 14 days to respond. Any reply memoranda must be filed within 7 days of the response. Court will set hearing if necessary.						11 USC § 524(d); Fed. R. Bankr. P. 4008; Vt. LBR 4008-1, 9013-2
Reconsider (motion)	Non-Routine: Court will set hearing if necessary.						Vt. LBR 9023-1/Vt. LBR 9024-1
Redeem (motion)	14	7	21	11	3	14	Vt. LBR 6008-1
Relief from Co-Debtor Stay (motion)				11	3	14	11 USC §§ 1201, 1301; Vt. LBR 9013-4(b)(4)
Relief from Stay (fee) (motion)	14	7	21	11	3	14	11 U.S.C. § 362(d); Fed. R. Bankr. P. 4001; Vt. LBR 4001-1, 9013-2, 9013-4(b)(3)
Remand (motion)				11	3	14	Fed. R. Bankr. P. 9027(d), 9014; Vt. LBR 9027-1
Remove Professional (motion)	Non-Routine: opposing parties have 14 days to respond. Any reply memoranda must be filed within 7 days of the response. Court will set hearing if necessary.						11 U.S.C. §§ 324, 327
Remove Trustee (motion)	Non-Routine: opposing parties have 14 days to respond. Any reply memoranda must be filed within 7 days of the response. Court will set hearing if necessary.						11 U.S.C. § 324
Reopen Chapter 11 Case (motion)	14	7	21	11	3	14	11 U.S.C. § 350(b); Fed. R. Bankr. P. 5010; Vt. LBR 5010-1, 9013-2, 9013-4(b)(37)
Reopen Chapter 12 Case (motion)	14	7	21	11	3	14	11 U.S.C. § 350(b); Fed. R. Bankr. P. 5010; Vt. LBR 5010-1, 9013-2, 9013-4(b)(37)

**REFERENCE GUIDE FOR NOTICING APPLICATIONS AND MOTIONS  
BANKRUPTCY MOTIONS**

Appendix VIII

Motion or Application	Under Default Procedure			Under Conventional Procedure			Code or Rule Cited
	Days to Response Deadline	Days between response deadline and hearing	Total Days to Hearing	Days to Response Deadline	Days between response deadline and hearing	Total Days to Hearing	
Reopen Chapter 13 Case (motion)	14	7	21	11	3	14	11 U.S.C. § 350(b); Fed. R. Bankr. P. 5010; Vt. LBR 5010-1, 9013-2, 9013-4(b)(37)
Reopen Chapter 7 Case (motion)	14	7	21	11	3	14	11 U.S.C. § 350(b); Fed. R. Bankr. P. 5010; Vt. LBR 5010-1, 9013-2, 9013-4(b)(37)
Sanctions (motion)	Non-Routine: opposing parties have 14 days to respond. Any reply memoranda must be filed within 7 days of the response. Court will set hearing if necessary.						28 U.S.C. § 1927; Fed. R. Bankr. P. 7016-1, 9011(c); Vt. LBR 9011-3, 9013-2
Sell Property under § 363(b) (motion)	21	7	28	18	3	21	11 U.S.C. § 363; Fed. R. Bankr. P. 2002(a)(2), 4001, 6004; Vt. LBR 6004-1, 9013-2, 9013-4(b)(38)
Sell Property Free and Clear of Liens under § 363(f) (motion)	21	7	28	18	3	21	11 U.S.C. § 363; Fed. R. Bankr. P. 2002(a)(2); Vt. LBR 6004-1, 9013-2, 9013-4(b)(38)
Set Hearing (application)	Non-Routine: Court will set hearing if necessary.						Vt. LBR 9013-2
Set Last Day to File Proofs of Claim (motion)				18	3	21	Fed. R. Bankr. P. 2002(a)(7)
Sever Case (motion)	Non-Routine: opposing parties have 14 days to respond. Any reply memoranda must be filed within 7 days of the response. Court will set hearing if necessary.						Vt. LBR 9013-2
Shorten Time (motion)	No notice or hearing required; may require consents.						Fed. R. Bankr. P. 9006; Vt. LBR 9011-4(f), (g), 9013-1(f), (h)
Stay Pending Appeal (motion)	Refer to Vt. LBR 9075-1 if matter is an emergency, otherwise total of 14 days for notice of hearing. Responses are due no later than 3 days before the hearing.						Fed. R. Bankr. P. 8005
Strike (motion)	Non-Routine: opposing parties have 14 days to respond. Any reply memoranda must be filed within 7 days of the response. Court will set hearing if necessary.						Fed. R. Bankr. P. 7012(f)
Strip Wholly Unsecured Lien (motion)	14	7	21	11	3	14	11 U.S.C. § 506(a); Vt. LBR 3013-1
Substitute Attorney (motion)	14	7	21	11	3	14	Vt. LBR 2091-1

**REFERENCE GUIDE FOR NOTICING APPLICATIONS AND MOTIONS  
BANKRUPTCY MOTIONS**

Appendix VIII

Motion or Application	Under Default Procedure			Under Conventional Procedure			Code or Rule Cited
	Days to Response Deadline	Days between response deadline and hearing	Total Days to Hearing	Days to Response Deadline	Days between response deadline and hearing	Total Days to Hearing	
Summary Judgment (motion)	Opposing parties have 21 days to respond. Moving parties have 7 days to reply to response.						Fed. R. Bankr. P. 7056; Vt. LBR 7056-1
Transfer Case (motion)	14	7	21	11	3	14	28 U.S.C. § 1412; Fed. R. Bankr. P. 7087; Vt. LBR 9013-2
Turnover (motion) (Found only under Trustee menu other parties must file complaint)	14	7	21	11	3	14	11 U.S.C. § 542; Fed. R. Bankr. P. 7001
Use Cash Collateral (motion)				11	3	14	11 U.S.C. § 363(c)(2); Vt. LBR 4001-4, 9013-2
Vacate Discharge (motion)	See: Vt. LBR 4008-1(h)(1) & (2)						Vt. LBR 4008-1(h)
Vacate Order (motion)	Non-Routine: Court will set hearing if necessary. Where appropriate, Court may process without waiting for response time (e.g., error or omission in an order).						Vt. LBR 9013-2, 9023-1/9024-1; <u>But see</u> Vt. LBR 4008-1(h)
Waive Appearance at § 341 Meeting (application)	No notice or hearing required; good cause and consent of trustee required.						Vt. LBR 2003-1, 9011-4(f), (g)
Waive Conduit Mortgage Payment Requirement (motion)	14	7	21	11	3	14	Vt. LBR 3015-2
Waive Consumer Credit Counseling under § 109(h)(4) (motion)	Non-Routine: opposing parties have 14 days to respond. Any reply memoranda must be filed within 7 days of the response. Court will set hearing if necessary.						11 U.S.C. § 109(h)(4); Vt. LBR 4002-1
Waive Financial Management Course (motion)	Non-Routine: opposing parties have 14 days to respond. Any reply memoranda must be filed within 7 days of the response. Court will set hearing if necessary.						11 USC §§ 109(h), 111; Fed. R. Bankr. P. 1007(b)(7), 4004(c)(1)(H); Vt. LBR 4004-2(a)
Waive Wage Withholding (motion)	Notice to Chapter 13 Trustee. No hearing required.						Vt. LBR 1007-1, 3070-1
Waiver of Chapter 7 Filing Fee (application)	Court will set hearing, if necessary.						28 USC § 1930(f); Vt. LBR 5081-1(f)
Withdraw as Attorney (motion)				11	3	14	Vt. LBR 2091-1
Withdrawal of Reference (fee) (motion)	Non-Routine: opposing parties have 14 days to respond. Any reply memoranda must be filed within 7 days of the response. Court will forward to U.S. District Court when response time has expired.						28 U.S.C. § 157

**SPECIAL SERVICE REQUIREMENTS FOR BANKS AND CORPORATIONS:**

Fed. R. Bankr. P. 7004 governs service in bankruptcy cases and adversary proceedings; it delineates the type of service required on the various types of parties. Pursuant to this rules, service on banks and corporations requires special attention.

**REFERENCE GUIDE FOR NOTICING APPLICATIONS AND MOTIONS  
BANKRUPTCY MOTIONS**

Appendix VIII

Motion or Application	Under Default Procedure			Under Conventional Procedure			Code or Rule Cited
	Days to Response Deadline	Days between response deadline and hearing	Total Days to Hearing	Days to Response Deadline	Days between response deadline and hearing	Total Days to Hearing	

Fed. R. Bankr. P. 7004(b)(3) Service by first class mail upon a domestic or or foreign corporation or upon a partnership or other unincorporated association. Service may be made within the United States by mailing the document (first class mail postage prepaid) to the attention of an officer, a managing or general agent, or to any other agent authorized by appointment or by law to receive service of process and, if the agent is one authorized by statute to receive service and the statute so requires, by also mailing a copy to the defendant.

Fed. R. Bankr. P. 7004(h) Service on an insured depository institution. Service on an insured depository institution (as defined in section 3 of the Federal Deposit Insurance Act) must be made by certified mail addressed to an officer unless: 1) the institution appeared by its attorney, in which case the attorney may be served by first class mail; 2) the Court orders otherwise after service by certified mail of notice of an application to permit service by first class mail sent to an officer; or 3) the institution waived in writing its entitled to service by certified mail by designating an officer to receive service.